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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/520,306	03/07/2000	Michael A. Kepler	1631077-0025	9605

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White & Case LLP
Patent Department
1155 Avenue of the Americas
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EXAMINER

AGDEPPA, HECTOR A

ART UNIT	PAPER NUMBER
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DATE MAILED: 01/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/716,276

Applicant(s)

ADAMS ET AL.

Examiner

Hector A. Agdeppa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2001.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 05 November 2001 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to applicant's amendment filed on 11/5/01. Claims 1 - 38 are now pending in the present application. **This action is made final.**

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1 – 5, 7 – 11, 19, 20, 22 – 25, 27 – 32, 35, 37, and 28 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by DeLorme et al. in the previous office action.

The rejection is respectfully maintained and incorporated by reference as set forth in the last office action.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 6, 12 – 15, 17, 18, 21, 26, 33, 34, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Delorme et al. in the previous office action.

The rejection is respectfully maintained and incorporated by reference as set forth in the last office action.

Response to Arguments

4. Applicant's arguments filed 11/5/01 have been fully considered but they are not persuasive.

Examiner does not understand Applicant's interpretation of the DeLorme et al. reference with regard to the use of agents in lieu of Col. 14, lines 47 – 52 and Col. 15, lines 16 – 21 (referenced in the original office action) wherein the teachings of DeLorme et al. make it abundantly clear that agents and/or businesses and/or agencies can "employ the TRIPS system on behalf of the client..." This teaches that the claimed "receiving agents" are contemplated by DeLorme et al.

As above, Examiner points to the originally cited Col. 16, lines 1 – 9, Col. 18, lines 25 – 30, and Col. 50, lines 30 – 51, wherein it is again very clear that DeLorme et al. teaches that control of ticketing may be transferred to or provided in conjunction with "third party providers" or "participating providers" both read as the claimed "fulfilling agent."

One possible embodiment of the invention of DeLorme et al. – not to be taken as the only embodiment possible – is as follows: A client uses an agent of an agency to set up travel plans, the travel plans including restaurant reservations. The receiving agent is the aforementioned agent. The fulfilling agent is an employee of the aforementioned restaurant that may either confirm or actually carry out the reservation.

As to Applicant's arguments regarding electronic tickets, the teachings of DeLorme et al. do NOT only encompass maps and itineraries as suggested by Applicant. To wit, DeLorme et al. states in Col. 15, lines 64 – 66, "TRIPS prints out

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integrated, individualized travel plans on paper media including: built in tickets and/or reservation confirmations with alphanumeric or bar codes for automated recognition."

Examiner finds it hard to believe that a ticket or reservation confirmation with bar codes may be interpreted as a map or itinerary. Besides this, as already pointed out in the previous office action, DeLorme et al. makes MANY references to tickets whose interpretation is clearly identical to that given in the present invention. For clarification, see Figs. 1B-2, part 147 and Fig. 5D, part 595. Furthermore, what is claimed in the present invention is an "electronic ticket," of which many interpretations exist. In fact, DeLorme et al. gives an example in Col. 13, lines 38 – 39, wherein reference is made to a "map ticket" and since this map ticket is electronically generated, it is in fact an electronic ticket. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As to Applicant's arguments regarding the various information being included on the claimed electronic ticket, please see ALL of the references made to the DeLorme et al. reference made in the previous office action. Furthermore, see again, Fig. 1B-1, part 147. Such a ticket could be given to an actual concierge for fulfillment or a third party agent such as a restaurant host/hostess as already discussed above. The information on a ticket taught by DeLorme et al. includes name, number of people, time, etc. – this is all information that could allow fulfillment of the request. Also, DeLorme et al. clearly teaches that almost anything or any type of information may be included in any of the resultant TRIPS printed media. Hence, Examiner is hard pressed to see any type of

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information that the present invention might include and is not contemplated by the DeLorme et al. reference. Furthermore, the effectiveness of the DeLorme et al. reference relies on such information and hence the inherency. See also Figs. 1B-1, 1C, 3, 4, and 5D. Furthermore, evidence is given in Col. 15, line 49 – Col. 16, line 31, wherein any and all types of information may be included and printed out in an electronic ticket format. The "confirmation tickets" taught by DeLorme et al clearly read upon a ticket having information associated with a request. And as before, if one wishes to very narrowly interpret the claims as Applicant seems to want to do, although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). And all that is claimed in the present invention is a "...ticket associated with the request for concierge-like services;"

Regarding Applicant's arguments to pools of agents, Examiner takes official notice that the use of pools of agents are extremely old and very well known to those skilled in the art. There are a plethora of references that exist that show the use of pools of agents or hunt groups or agent groups, etc. This is a common feature in any call center/ACD or any such system requiring telephonic communications between customers and agents. The pools of agents are typically split into agent skills or various queues or any one of a number or combination of parameters. In fact, it is almost inherent that in any call center or agency or business of considerable size, that separate pools of agents are used. Therefore, at the very least, it is obvious that separate pools of agents would be used.

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As to the use of an alarm, Examiner would like to know how else an agent would know that his/her services are required without some sort of indication, i.e., alarm telling or showing him/her that this is the case. As mentioned in the previous office action, as claimed, the alarm may be read as simply the ringing of a telephone indicating that a customer is calling in for servicing.

DeLorme et al., as already cited in the previous office action, contemplates many different ways in which the TRIPS system could be implemented from broad-band hard-wired communication systems to wireless systems to local computer systems with Internet access, to interacting with private companies or agencies who themselves may very easily have private or dedicated networks. As such, it is most likely that most types of networks are inherently anticipated by DeLorme et al., but at the very least, would be only an obvious design choice as the private and dedicated networks claimed in the present invention are old and well known and many examples of such systems exist for use in many different applications. Whether it be expansion issues, or privacy issues, or speed or economic issues, etc., the use of such networks have a well known motivation.

Regarding claim 26, see the above-mentioned explanation.

Regarding claim 36, DeLorme et al. already teaches printing itineraries, hence "next actions." Therefore, to do so on a ticket is an obvious extension of the DeLorme et al. invention. Furthermore, as already discussed above, all of the printed media from the TRIPS system may be collated and kept together as a package of sorts, and so, a collection of tickets and/or itineraries having the next action is taught by DeLorme et al.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 703-305-4731. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

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H.A.A.

January 9, 2002

A handwritten signature in black ink, appearing to read "Ahmad Matar". The signature is fluid and cursive, with the first name "Ahmad" and last name "Matar" clearly distinguishable.

AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600